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SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT
Patent Application
Docket No. DAS-101XC2
Serial No. 10/609,113


Jay M. Sanders, Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Scott Bintrim, Scott Bevan, Baolong Zhu, Donald J. Merlo
Serial No. : 10/609,113
Filed : June 27, 2003
For : Pesticidally Active Proteins and Polynucleotides Obtainable from
Paenibacillus Species

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

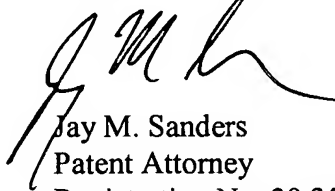
In accordance with 37 CFR §1.97 and §1.98, the applicants would like to bring to the attention of the Examiner the references listed on the attached Forms PTO/SB/08A and PTO/SB/08B. Copies of the references are enclosed. It is respectfully requested that the references listed on the attached Forms PTO/SB/08A and PTO/SB/08B be considered in the examination of the subject application and that their consideration be made of record.

The undersigned hereby certifies that the items of information contained in this statement were cited in a communication regarding a counterpart application not more than three months prior to the filing of this statement.

Applicants respectfully assert that the substantive provisions of 37 CFR §§1.97 and 1.98 are met by the foregoing statements.

Though no fees are believed to be required for this paper, the Patent Office is hereby authorized to charge any fees required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,



Jay M. Sanders

Patent Attorney

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JMS/ehm

Attachments: Forms PTO/SB/08A and PTO/SB/08B
Copies of Listed References

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

| | | | |
|-------|---|----|---|
| Sheet | 1 | of | 2 |
|-------|---|----|---|

Complete if Known

| | |
|------------------------|------------------|
| Application Number | 10/609,113 |
| Filing Date | June 27, 2003 |
| First Named Inventor | Scott B. Bintrim |
| Art Unit | 1636 |
| Examiner Name | |
| Attorney Docket Number | DAS-101XC2 |

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

**Examiner
Signature**

| | |
|------------|--|
| Date | |
| Considered | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

| | | | | | |
|-------|---|----|---|------------------------|------------------|
| Sheet | 2 | of | 2 | Application Number | 10/609,113 |
| | | | | Filing Date | June 27, 2003 |
| | | | | First Named Inventor | Scott B. Bintrim |
| | | | | Art Unit | 1636 |
| | | | | Examiner Name | |
| | | | | Attorney Docket Number | DAS-101XC2 |

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|-----------------------|--------------------------|---|----------------|
| | 2 | HARRISON, H. et al., "Paenibacillus Associated with Milky Disease in Central and South American Scarabs," J. Invertebr. Pathol. (October 2000), pp. 169-175, Vol. 76, No. 3 | |
| | 3 | PATEL, R. et al., "Detection of Two New cry Genes in Paenibacillus popillae," Abstracts of the General Meeting of the American Society for Microbiology (May 24, 2000), p. 476, vol. 100 (abstract) | |
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| Examiner Signature | | Date Considered | |
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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